

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RODNEY JURON JOHNSON,

Petitioner,

v.

CASE NO. 18-cv-13338
HONORABLE AVERN COHN

HEIDI WASHINGTON,

Respondent.

MEMORANDUM AND ORDER DENYING
PETITIONER'S REQUEST FOR RECONSIDERATION (Doc. 20)
AND
MOTION FOR ORAL ARGUMENT (Doc. 21)

I.

This is a habeas case under 28 U.S.C. § 2254. In 2014, Rodney Juron Johnson (“Petitioner”) pleaded guilty to delivery/manufacture of 50 to 449 grams of cocaine and possession of a firearm during the commission of a felony in state court. In 2018, Petitioner, proceeding pro se, filed a habeas petition raising claims concerning the effectiveness of counsel, the validity of a search and seizure, the conduct of the prosecutor, the state court’s jurisdiction, and his confrontation rights relative to an informant. The Court dismissed the petition as untimely. (Doc. 18).

Before the Court is Petitioner’s “response” to the Court’s dismissal order, which the Court construes as a request for reconsideration, as well as Petitioner’s motion for oral argument. For the reasons that follow, the motions will be denied.

II.

A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. Hence v. Smith, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); Czajkowski v. Tindall & Assoc., P.C., 967 F. Supp. 951, 952 (E.D. Mich. 1997). The Court properly dismissed the habeas petition as untimely.. Contrary to Petitioner's assertion, the Court did not miscalculate or misapply the one-year period. Petitioner fails to meet his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(g)(3). Accordingly, Petitioner's motion for reconsideration is DENIED.

Given this determination, petitioner's motion for oral argument is also DENIED. This case remains closed. No further pleadings should be filed in this matter.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: 6/13/2019
Detroit, Michigan